

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

SYMANTEC CORPORATION,) Case No. 07cv1402-JLS (BLM)
)
Plaintiff,) **ORDER DENYING JOINT MOTION AND**
) **CONVERTING EARLY NEUTRAL**
v.) **EVALUATION CONFERENCE TO**
) **TELEPHONIC, ATTORNEYS-ONLY**
GLOBE 2000 CORP., et al.,) **CONFERENCE**
)
Defendants.) [Doc. No. 11]
)
_____)

On October 10, 2007, the parties submitted a joint motion to continue the Early Neutral Evaluation Conference (ENE) due to Plaintiff's counsel's busy trial schedule. Doc. No. 11. The Court finds it appropriate to **DENY** the joint motion and instead convert the ENE to a telephonic, attorneys-only conference to be held on the same day as previously scheduled. Accordingly, the telephonic, attorneys-only ENE shall be held on October 17, 2007 at 1:30 p.m. The Court will initiate the call. Failure to participate may result in the imposition of sanctions.

As set forth in the Court's previous order, confidential ENE statements are required. No later than five (5) court days prior to the ENE, the parties shall submit confidential statements no more than ten

(10) pages¹ in length directly to the chambers of the Honorable Barbara L. Major. **These confidential statements shall not be filed or served on opposing counsel.** Each party's confidential statement must include the following:

a. A brief description of the case, the claims and/or counterclaims asserted, and the applicable defenses or position regarding the asserted claims;

b. A specific and current demand or offer for settlement addressing all relief or remedies sought. If a specific demand or offer for settlement cannot be made at the time the brief is submitted, then the reasons therefore must be stated along with a statement as to when the party will be in a position to state a demand or make an offer; and

c. A brief description of any previous settlement negotiations, mediation sessions, or mediation efforts.

General statements that a party will "negotiate in good faith" is not a specific demand or offer contemplated by this Order. It is assumed that all parties will negotiate in good faith.

IT IS SO ORDERED.

DATED: October 11, 2007



BARBARA L. MAJOR
United States Magistrate Judge

COPY TO:

HONORABLE JANIS L. SAMMARTINO
U.S. DISTRICT JUDGE

ALL COUNSEL

¹ The parties shall not append attachments or exhibits to the ENE statement.